

§ 1001.75

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total value of milk received from the cooperative association in its capacity as a handler under §1001.9(d), at the basic blended price per hundredweight for the month computed under §1001.62, adjusted by the location adjustment applicable under §§1001.52 and 1001.53 and the butterfat differential applicable under §1001.76, minus the amount of the payment made to the association under paragraph (d)(1) of this section. If the handler has not received full payment from the market administrator under §1001.72(b) by the date payment is due under this paragraph, he may reduce his payment to the association by an amount not to exceed such underpayment. Such payment shall be completed after receipt of the balance due from the market administrator by the next following date for making payment under this paragraph.

[41 FR 8357, Feb. 26, 1976, as amended at 43 FR 17461, Apr. 25, 1978; 56 FR 5320, Feb. 11, 1991]

§ 1001.75 Statements to producers.

In making the payments to producers required under §1001.73, each handler shall furnish each producer with a supporting statement, in such form that it may be retained by the producer, which shall show:

(a) The month and the identity of the handler and of the producer;

(b) The pounds and butterfat test of milk that is received from the producer, or if more than one minimum rate of payment is applicable to the producer's milk under §1001.73, the respective pounds and test to which each minimum rate of payment applies;

(c) The minimum rate or rates, including the butterfat differential, at which payment to the producer is required under §1001.73;

(d) The rate that is used in making the payment, if such rate is other than the applicable minimum rate;

(e) The amount or the rate per hundredweight of each deduction claimed by the handler, including any deductions claimed under §§1001.74 and 1001.86, together with a description of the respective deductions; and

(f) The net amount of payment to the producer.

§ 1001.76 Butterfat differential.

(a) In making the payments to producers required under §1001.73 and the payments to cooperative associations required under §1001.74(d), each handler shall add for each one-tenth of one percent of average butterfat content above 3.5 percent, or may deduct for each one-tenth of one percent of average butterfat content below 3.5 percent, as a butterfat differential, an amount per hundredweight that shall be computed by the market administrator under paragraph (b) of this section.

(b) Round to the nearest one-tenth cent, which shall be 0.138 times the current month's butter price less 0.0028 times the preceding month's average pay price per hundredweight, at test, for manufacturing grade milk in Minnesota and Wisconsin, using the "base month" series, adjusted pursuant to §1001.51 (a) through (e), as reported by the Department. The butter price means the simple average for the month of the Chicago Mercantile Exchange, Grade A butter price as reported by the Department.

[41 FR 8357, Feb. 26, 1976, as amended at 60 FR 18954, Apr. 14, 1995]

§ 1001.77 Adjustment of accounts.

(a) Whenever the market administrator's verification of a handler's reports or payments discloses an error in payments to or from the market administrator under §1001.72, §1001.85, or §1001.86, the market administrator shall promptly issue to the handler a charge bill or a credit, as the case may be, for the amount of the error. Adjustment charge bills issued during the period beginning with the 11th day of the prior month and ending with the 10th day of the current month shall be payable by the handler to the market administrator on or before the 18th day of the current month. Adjustment credits issued during that period shall be payable by the market administrator to the handler on or before the 20th day of the current month.

(b) Whenever the market administrator's verification of a handler's payments discloses payment to a producer or a cooperative association of an amount less than is required by §§1001.73 and 1001.74, the handler shall